

(Practitioner's Docket No. IN-5647)

PATENT AND TRADEMARK OFFICE

In re Application of

Walter H. OHRBOM

US Serial No. 10/631,183

Filed: July 31, 2003

Group Art Unit: Not Assigned

Examiner: Not Assigned

For: GAMMA HYDROXY CARBAMATE COMPOUNDS AND METHOD OF MAKING AND USING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

☐ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:

☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except Copies of U.S. patents, patent applications, and publications as indicated below:

☒ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. 09/998365, 09/763855, 10/285634, 10/285600, 10/285594, and 10/325301, 10/325328, filed on November 29, 2001, February 27, 2001, October 31, 2002, October 31, 2002, filed October 31, 2002, December 20, 2002, and December 20, 2002. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

Information Disclosure Statement

Page 2

☐ Application Serial No. [] was published as Publication No. []. The Bibliographic information for this publication is correct, but the abstract, specification, and claims are not those of []. Therefore, the bibliographic page for Publication No. [] is provided with a copy of the specification as filed for [].

FOREIGN LANGUAGE DOCUMENTS

☐ There are no foreign language documents listed on Form PTO-1449.

☐ The following non-English language references were cited in the specification. The English language equivalents for these references are being submitted in substitution for the non-English references.

☐ English language abstract for the following non-English references are enclosed.

DE 101 18 532
DE 195 17 068
DE 44 32 897
DE 44 24 290
DE 2 293 454

☒ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:

Cited Art	Equivalent
EP 0 708 788	6372875
WO01/56978	2003/023017
EP 0 274 721	4882391
DE 195 34 361	6187384
DE 196 13 547	CA2216111
DE 27 49 576	4181642
DE 44 01 544	5817733

☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith:

☐ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.

☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:

Information Disclosure Statement

Page 3

- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

- ☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**
- ☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**

Information Disclosure Statement
Page 4

☐

Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Reg. No.: **42,906**

 9-25-2003
SIGNATURE OF ATTORNEY and DATE

Michael F. Morgan

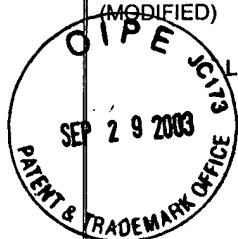
Type or print name of attorney

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BASF Corporation
26701 Telegraph Road
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Southfield, Michigan 48034-2442

Customer No. 26922



FORM PTO-1449
(MODIFIED)

US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Atty. Docket No. IN-5647

LIST OF ART CITED BY APPLICANT
(Use sever of sheets if necessary)

In re Application of: Walter H. Ohrbom

Serial No.: 10/631,183

Filed: July 31, 2003

Examiner initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2002/0123545	9/5/02	Yajking et al.	524	196	12/12/01
	AB	2003/005024	3/13/03	Bernard	C08G	18/30	4/2/01
	AC	2,979,514	4/11/61	O'Brien	260	340.2	7/16/57
	AD	3,341,580	09/12/67	Hechenbleikner	260	541	06/21/65
	AF	3,477,990	11/11/69	Dante et al.	260	47	12/7/67
	AG	3,781,379	12/25/73	Theodore et al.	260	836	08/16/71
	AH	4,091,048	05/23/78	Labana et al	260	836	12/18/73
	AI	4,268,542	05/19/81	Sakakibara et al.	427	195	01/25/79
	AJ	4,310,257	11/17/81	Zengel et al.	525	329	3/13/80
	AK	4,710,542	12/1/87	Forgione et al.	525	127	5/16/86
	AL	4,758,632	7/19/88	Parekh et al.	525	383	2/6/85
	AM	4,882,391	11/21/89	Brindöpke et al.	525	327.2	12/22/87
	AN	4,939,213	07/3/90	Jacobs, III et al.	525	329.9	12/19/88
	AO	4,959,189	09/25/90	Rohrbacher et al.	264	510	9/26/88
	AP	5,030,514	7/9/91	Hartman	428	363	4/27/89
	AQ	5,084,541	01/28/92	Jacobs, III et al.	528	45	05/14/90
	AR	5,187,229	02/16/03	Yamamoto et al.			
	AS	5,264,486	11/23/93	Piestert	524	745	12/4/91
	AT	5,268,215	12/7/93	Krenseski et al.	428	213	10/25/91
	AU	5,288,865	2/22/94	Gupta	544	200	10/30/92
	AV	5,356,669	10/18/94	Rehfuss et al.	427	407.1	10/23/92
	AW	5,373,069	12/13/94	Rehfuss et al.	525	456	7/28/93
	AX	5,474,811	12/12/95	Rehfuss et al.	427	407.1	5/11/94
	AY	5,475,073	12/12/95	Guo	526	333	11/18/94
	AZ	5,480,493	1/2/96	Harry, Jr.	134/4		11/10/94

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Applicant has modified this form by deleting the word "prior".

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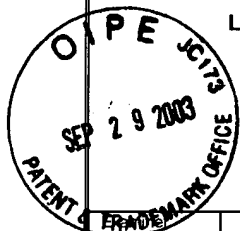
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	AA	5,512,639	4/30/96	Rehfuss et al.	525	456	7/28/93
	AB	5,518,786	5/21/96	Johnson et al.	428	40.6	7/21/94
	AC	5,534,598	7/9/96	Guo	525	329.2	6/6/95
	AD	5,552,497	9/3/96	Taylor et al.	525	456	12/29/94
	AF	5,605,965	2/25/97	Rehfuss et al.	525	100	11/3/94
	AG	5,719,237	2/17/98	Rehfuss et al.	525	419	11/3/94
	AH	5,907,024	5/25/99	Ohrbom et al.	528	75	11/12/97
	AI	5,945,499	8/31/99	Ohrbom et al.	528	75	11/12/97
	AJ	6,120,886	9/00	Grafe et al.	428	215	
	AK	6,132,864	10/00	Kiriazis et al.	428	337	
	AL	6,221,439	04/01	Negele et al.	427	514	
	AM	6,262,297	7/17/01	Clements et al.	560	157	9/25/00
	AN	6,362,285	3/26/02	Ohrbom et al.	525	330.5	12/15/99
	AN	6,376,616	4/23/02	December	525	278	12/20/99
	AO	6,580,001	6/17/03	Bowman et al.	558	260	12/20/01
	AP	2003/023017	1/30/03	Rink et al.	C07F	7/22	1/24/01
	AQ	6372875	4/16/02	Mayer et al.	528	60	6/16/94
	AR	6187384	2/13/01	Wilke et al.	427	388.4	8/17/96
	AS	4181642	1/1/80	Holle et al.	260	37	9/25/78
	AT	5817733	10/6/98	Rink	528	71	1/7/95
	AU	4585566	4/29/86	Wollenberg	252	51.5A	11/21/84
	AV	4340497	7/20/82	Knopf	252	188.3R	3/21/80
	AW	6300458	10/9/01	Vandenberg	528	196	9/2/99
	AX	3479328	11/18/69	Nordstrom	260	86.1	11/18/66
	AY	3674838	7/4/72	Nordstrom	260	482C	6/5/69

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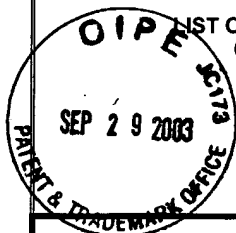
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	AA	4126747	11/21/78	Cowherd, III et al.	520	166	12/28/76
	AB	4279833	7/21/81	Culbertson et al.	260	464	12/17/79
	AC	6346591	2/12/02	Ohrbom et al.	526	312	5/21/99
	AD	5760127	6/2/98	Bammel et al.	524	590	8/15/96
	AE	4584354	4/22/86	Hudecek et al.	525	454	10/18/84
	AF	4546046	10/8/85	Etzell et al.	428	460	4/26/85

FOREIGN PATENT DOCUMENTS

Examiner initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATED YES NO
	AG						
	AH						
	AI						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AJ	BASF Coating AG, Docket IN-5605, Application No. USSN 10/182,528, Filed July 22, 2002, pages 1-40
	AK	Marvin L. Green, et al., entitled "Low VOC carbamate functional coatings compositions for automotive topcoats", March 1-3, 2000, New Orleans, LA, USA
	AL	W. Albert Noves, Jr. The Journal of the American Chemical Society, Vol. LXXIII, 1951
	AM	English Abstract for DE44 32 897
	AN	American Cyanamid Co., B. Singh et al., entitled "Carbamylmethylated Melamines Novel Crosslinkers for the Coatings Industry", pages 193-207
	AO	Types of Paints and Coatings (Binders), entitled "Urea, Benzoguanamine, and Melamine Resins for Coatings, pages 80-86
	AP	Shalom Sarel, et al. Organic Carbonates IV, entitled "Factors Affecting Formation of Carbonates Homologous Cyclic, PAGES 1873-1878, December 1959
	AQ	J. Med. Chem., B. J. Ludwig, et al., entitled Carbamate derivatives related to meproamate, Vol. 12, 1969, pages 462-472
	AR	Patent Abstract of Japan, vol. 013, no. 205 (C-595), 15. May 1989, &JP 01 024851, Mitsui Toatsu Chem Inc, entitled " Thixotropic polyurethane compositions"
	AS	English Abstract for DE 101 18 532

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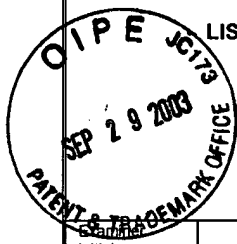
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							YES	NO
	AA	DE 101 18 532	24.10.02	DE	C09D	5/04		X
	AB	DE 195 17 068	10.05.95	DE	C08J	7/04		X
	AC	DE 195 34 361 A1	15.09.95	DE	C09D	175/14		X
	AD	DE 196 13 547 A1	4.4.96	DE	C09D	5/46		X
	AF	DE 2 293 454	04.12.74	DE	C08G	71/04		X
	AG	DE 27 49 576 B2	5.11.77	DE	C08F	220/18		X
	AH	DE 44 01 544 A1	20.01.94	DE	C08G	18/32		X
	AI	DE44 32 897	21.03.96	DE	C08L	61/20		X
	AJ	DE 44 24 290	9.7.94	DE	C08L	23/00		X
	AK	EP 0 374 551	2.12.89	EP	B32B	15/04	X	
	AL	EP 0 274 721	21.12.87	EP	C08F	8/32		X
	AM	EP 0 299 420 A2	12.07.88	EP	C09D	3/58	X	
	AN	EP 0 624 577 A1	13.05.94	EP	C07D	251/70	X	
	AO	EP 0 708 788 B1	16.06.94	EP	C08G	18/08		X
	AP	EP 0 767 185 A1	16.06.95	EP	C08F	212/06	X	
	AQ	EP 245 700	29.04.87	EP	C07D	251/54	X	
	AR	EP 594 068	15.10.93	EP	C09D	201/02	X	
	AS	EP 594 071	15.10.93	EP	C09D	201/02	X	
	AT	EP 594 142	20.10.93	EP	C08L	57/12	X	

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							YES	NO
	AA	EP 594 142	20.10.93	EP	C08L	57/12	X	
	AB	EP 604 922	23.12.93	EP	C08K	5/3492	X	
	AC	EP 850 986	22.12.97	EP	C08K	5/3492	X	
	AD	GB 1 095 485	20.12.67	GB	C08g	21/02	X	
	AF	GB 756 693	25.03.71	GB	C08g		X	
	AG	WO 01/56978	09.08.01	WO	C08K	5/205		X
	AH	WO 97/23516	03.07.97	WO	C08F	8/32	X	
	AI	WO 98/12233	25.03.98	WO	C08F	4/06	X	
	AJ	WO 98/50345	12.11.98	WO	C07C	269/04	X	
	AK	WO94/10211	11.05.94	WO	C08F	8/30	X	
	AL	WO94/10212	11.05.94	WO	C08F	8/30	X	
	AM	WO94/10213	11.05.94	WO	C08F	8/30	X	
	AN	CA2216111	04.04.96	CA	C09D	5/03	X	

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